

**PART IV – REPRESENTATIONS AND INSTRUCTIONS**

**SECTION M - EVALUATION FACTORS FOR AWARD**

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## **PART IV – REPRESENTATIONS AND INSTRUCTIONS**

### **SECTION M - EVALUATION FACTORS FOR AWARD**

#### **M.1 EVALUATION OF PROPOSALS**

- (a) This acquisition will be conducted pursuant to the policies and procedures in Federal Acquisition Regulation (FAR) Part 15 and Department of Energy Acquisition Regulation (DEAR) Part 915. Proposals will be evaluated by the Government in accordance with the applicable procedures contained in FAR Part 15, DEAR Part 915, and the Evaluation Criteria hereinafter described.
- (b) The Government intends to evaluate proposals and award one contract to a single Offeror. The Government intends to make award without discussions with Offerors, although clarifications as described in FAR 15.306(a) may be required. Therefore, the Offeror's initial proposal should contain the Offeror's best terms from both a technical and cost standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary.
- (c) A proposal will be eliminated from further consideration before the initial ratings if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal will be deemed unacceptable if it does not represent a reasonable initial effort to address itself to the essential requirements of the RFP, or if it clearly demonstrates that the Offeror does not understand the requirements of the RFP. Cursory responses or responses which merely repeat or reformulate the Statement of Work will not be considered responsive to the requirements of the RFP. In the event that a proposal is rejected, a notice will be sent to the Offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.
- (d) Prior to an award, a finding will be made regarding whether any possible Organizational Conflicts of Interest exists with respect to the apparent successful Offeror or whether there is little or no likelihood that such conflict exists. In making this determination, the Contracting Officer will consider the representation required by Section K of this solicitation. An award will be made if there is no Organizational Conflicts of Interest or if any potential Organizational Conflicts of Interest can be appropriately avoided or mitigated.
- (e) For the purpose of evaluating information on an Offeror's technical capabilities, experience, and past performance, the Government will consider information on all of those companies comprising the Offeror's "contractor team arrangement" that will perform major or critical aspects of the Statement of Work as well as on the single legal entity submitting the offer.
- (f) Any exceptions or deviations to the terms of the model contract (see Section L provision entitled "Content of Resultant Contract") may make the offer unacceptable for award without discussions. If an Offeror proposes

exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the Contract. Moreover, a large number of exceptions or one or more significant exceptions not providing benefit to the government may result in the elimination of the proposal from further consideration.

- (g) With respect to the Offeror's proposed Small Business Subcontracting Plan, the Plan will be assessed against the 11 elements set forth in FAR 52.219-9(d) to determine its acceptability. Offerors should note that the incumbent contractor's goals and actual achievements, which can be found at the website <http://www.emcbc.doe.gov/SRS>, will be considered as an indicator of minimum practicable expected performance.

## **M.2 BASIS FOR CONTRACT AWARD (JUL 2006)**

The Government intends to award one contract to a single responsible Offeror whose proposal is responsive to the solicitation and is determined to be the best value to the Government. Selection of the best value to the Government will be achieved through a process of evaluating the strengths, weaknesses, and deficiencies, of each Offeror's technical proposal against the Evaluation Factors/Criteria described in Section M below. In determining the best value to the Government, the Technical Proposal is significantly more important than the total evaluated price. The Government is more concerned with obtaining a superior technical proposal than making an award at the lowest total evaluated price. However, the Government will not make an award at a price premium that it considers disproportionate to the benefits associated with the evaluated superiority of one proposal over another. The Government will assess whether the strengths and weaknesses between or among competing Technical Proposals indicate superiority from the standpoint of (1) what the difference might mean in terms of anticipated performance; and (2) what the total evaluated price to the Government would be to take advantage of the difference.

## **M.3 RELATIVE IMPORTANCE OF EVALUATION CRITERIA**

In determining the best value to the Government, the technical evaluation factors when combined, are significantly more important than the cost/price evaluation factors, as follows:

- (a) Technical Evaluation Factor (listed in descending order of importance)
  - (1) Management Approach Factor (more important than Relevant Experience Factor)
    - (i) Technical Approach (more important than Business Approach)
    - (ii) Business Approach
  - (2) Relevant Experience Factor (significantly more important than Past Performance Factor)
    - (i) Corporate Experience (of equal importance as Key Personnel Experience)

(ii) Key Personnel Experience

(3) Past Performance

(b) Cost/Price Evaluation Factor

#### **M.4 EVALUATION CRITERIA**

(a) DOE will not evaluate the Offeror's technical approach to providing Protective Force services pertaining to the facilities listed in Section L.4(b) since the staffing levels for these services are prescribed.

(b) Technical Factors. Technical aspects of proposals will be evaluated in accordance with the following factors:

##### **1. Factor 1 – Management Approach**

###### **A. Sub-Factor 1 – Technical Approach:**

(1) Protective Force - DOE will evaluate the thoroughness of the Offeror's demonstrated understanding of utilizing and providing protective forces to adequately execute programs and protect SRS assets pursuant to the directives specified in Section J. This will include an assessment of the demonstrated effectiveness of the Offeror's plan to integrate site security operations with other site operations and to provide the full range of law enforcement capabilities to the SRS. Additionally, DOE will evaluate the demonstrated capability of the Offeror to provide competent security personnel prior to assignment and to maintain this level of competence throughout the contract period of performance in compliance with DOE policies and requirements.

(2) Special Operations - The Offeror's Special Operations plan will be evaluated for its demonstrated ability to be capable of effective and ready response in executing both defensive and offensive operations to maximize the probability of successful neutralization of adversaries. DOE will evaluate how well the proposal demonstrates the offeror's ability to integrate the special response team requirements into site protection strategies and to provide: safe and efficient Special Nuclear Material (SNM) material transportation; effective explosive and chemical/biological response and instruction; effective utilization of helicopter operations, and fully qualified Canine explosive and narcotics detection and apprehension program operations.

(3) Training - DOE will evaluate the effectiveness of the Offeror's program to plan for, train, and maintain all protective force members at an adequate level of tactical, technical, and professional proficiency ensuring they meet and maintain required qualifications for physical fitness, firearms use, and all other Governmental certifications and position requirements to perform their duties under both normal and emergency conditions. This will include rating the sufficiency of Offeror's plan to manage training records, meet law

enforcement qualifications, enhance professional development, and maintain required academic accreditation for its training curriculum. DOE will also evaluate the reasonableness of the Offeror's plan for maintaining effective document control and computer security procedures as they pertain to training records, and the feasibility of the Offeror's approach to providing training for Emergency Response Organizations and Safeguards and Security First Responders.

(4) Security/Safety Operations - DOE will evaluate the effectiveness of the Offeror's approach to protect classified matter, ensure effective computer/operations security (OPSEC), employ technical security countermeasures, and provide high quality support to the site's safety programs. The Offeror's approach to providing a Performance Testing Program will be evaluated for its compliance with applicable DOE directives and the extent to which it supports the site's Personnel Security Activities. DOE will evaluate the Offeror's approach to maintaining an effective and efficient Safeguards and Security Self-Assessment (S&SSA) Program for its demonstrated ability to self-identify and correct deficiencies in a manner that will ensure high quality operations. DOE will also assess the degree to which the Offeror's approach to providing a S&SSA Program can be expected to enhance and document site protection. Additionally, DOE will evaluate the effectiveness of the Offeror's property management plan.

(5) Program Support - DOE will evaluate how comprehensively and effectively the Offeror's proposed services will support SRS in administering the Protective Force services, how competently the Offeror will collect and maintain routine records, and how effectively it will manage personal property and equipment. DOE will assess how well the Offeror's support functions will result in high quality, low risk, cost effective operations. DOE will evaluate the demonstrated capability of the Offeror's Environment, Safety, and Health and Integrated Safety Management (ISM) programs to comply with requirements and protect workers, the public, SRS facilities, and the environment. DOE will also evaluate the feasibility of the Offeror's plan to ensure the maintenance of ISO 14001 certification. Additionally, DOE will evaluate the reasonableness of the Offeror's plan to administer a Human Resources and Reliability program.

## **B. Sub-Factor 2 – Business Approach:**

DOE will evaluate how well the Offeror's approach can be expected to result in operational effectiveness, continuous improvement, and cost efficiencies while accomplishing all contract requirements. Evaluation will also address the feasibility of the Offeror's approach to identifying risks associated with its management strategy for the protective force, its demonstrated understanding of the potential impact of these risks, and the effectiveness of any strategies proposed to minimize these risks. Additionally, DOE will assess the effectiveness of the Offeror's plan to recruit and retain highly skilled personnel and the commitment and/or available resources of Offeror's parent organization to support its efforts at SRS. This will include an analysis of the Offeror's proposed pay and benefits plan (including benefits and salary administration, pension, medical) for all incumbent transitioned employees

and newly hired employees. DOE will evaluate the level of detail provided for the Offeror's organizational chart and the demonstrated ability of this structure to allocate resources to meet contractual requirements. This will include an analysis of the Offeror's discussion regarding the program manager's role and the demonstrated effectiveness of the program manager in obtaining support from other corporate elements within the Offeror's organizational structure. DOE will also evaluate the level of detail provided in the Offeror's discussion of Key Personnel and how these personnel will be utilized.

DOE will also analyze how effectively the Offeror proposes to coordinate its operations with other site operating contractors and governmental entities to ensure security requirements are met with minimum operational impact. The Offeror's plans to identify innovative programs that are consistent with best practices will be rated. In addition, the Government will evaluate the effectiveness of the Offeror's approach to working with and resolving employee collective bargaining issues. DOE will evaluate the acceptability of Offeror's plan for transition of the work and the workforce from the beginning of the transition period through full implementation and the extent to which it will minimize impacts on continuity of operations. Based on Small Disadvantaged Business (SDB) Participation Program Targets, DOE will evaluate SDB participation considering the extent of participation proposed in terms of the total value to the acquisition and the realism of the proposal.

## **2. Factor 2 – Corporate Experience**

DOE will evaluate the demonstrated experience of the Offeror's organization, its parent company, and its teaming partners, if any, in providing and supporting relevant protective force security services. Evaluation of this sub-factor will focus on projects that are recent (within 5 years) and similar in size, scope, and complexity to that discussed in the Statement of Work. DOE will evaluate the Offeror's demonstrated experience in resolving issues with stakeholders and governmental regulatory agencies as well as labor relations issues. Additionally, DOE will evaluate the Offeror, its teaming partners, and major subcontractors with respect to and commensurate with the type and portion of work proposed to be performed by each entity.

## **3. Factor 3 – Key Personnel Experience**

The Key Personnel proposed by the Offeror and its teaming partners, if any, will be evaluated in the following areas:

- a. Experience on work similar to that described in the Statement of Work;
- b. Qualifications;
- c. Education;
- d. Suitability to the proposed position;
- e. Clearance status; and
- f. Commitment Letter to Offeror.

**Failure to demonstrate the ability to obtain required access**

**authorizations may result in a lower evaluation rating or the Offeror's proposal being removed from further consideration. Additionally, failure to submit letters of commitment for key personnel may result in a lower evaluation rating or the Offeror's proposal being eliminated from further consideration for award.**

#### **4. Factor 4 – Past Performance**

DOE will evaluate the Offeror's (including teaming partners, LLC members, and major subcontractors) relevant past performance on contracts similar in size, scope and complexity to determine the degree to which it demonstrates the Offeror's ability to successfully perform the Statement of Work.

The Government will consider in its evaluation the relevance and similarity of the Offeror's past performance information, the Offeror's written discussion of past performance problems, and the effectiveness of the corrective actions taken to resolve those problems. DOE will evaluate the past performance of the Offeror, its teaming partners, and major subcontractors commensurate with the portion of work being performed by each entity.

In the case of an Offeror without a record of relevant past performance or for whom information on relevant past performance is not available, the Offeror will be evaluated neither favorably nor unfavorably on past performance.

To the extent that the Offeror's history with SDB concerns is identified or known, the Government will consider the Offeror's past compliance with subcontracting plan goals for SDB concerns and monetary targets for SDB participation.

During its evaluation, the Source Evaluation Board will review all the past performance information submitted by the Offeror, may contact some or all of the references provided by the Offeror, and may solicit past performance information from other available sources. These include Federal Government electronic databases, readily available government records (including pertinent prime contracts), and sources other than those identified by the Offeror.

### **M.5 COST AND FEE EVALUATION FACTORS**

The cost proposal and the proposed fee will neither be point scored or adjectively rated but will be evaluated for consistency with the Technical and Management Proposal and will be used in determining which proposal represents the best value to the Government. The Government will evaluate the Offeror's cost proposal, supporting data, and cost assumptions to determine cost realism, cost reasonableness and the Offeror's understanding of the contract requirements. Based on the Government's analysis of an Offeror's cost proposal, additions or reductions in the proposed cost elements may be made to reflect levels that are considered realistic for contract performance in order to establish probable cost. An unrealistic, unreasonable, or incomplete cost proposal may be evidence of

the Offeror's lack of, or poor understanding of, the requirements of the solicitation and thus may adversely affect the Offeror's rating on the Technical and Management Proposal criteria. Based on its review, the Government will determine a most probable cost to the Government. The total evaluated price will be the most probable cost plus the proposed fixed fee (or base fee), if any, and the proposed maximum award fee.

#### **M.6 FAR 52.217-5 EVALUATION OF OPTIONS (JUL 1990)**

Except when it is determined in accordance with FAR [17.206\(b\)](#) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).